

EXHIBIT

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**SHERIFF'S
INVESTIGATION
DIVISION**

Memo

To: I/M R [REDACTED] FILE

From: Investigator Sonya Aleman

Date: May 29, 2003

Re: May 28, 2003 Interview of Sheila Porter, Nurse Practitioner (Second Interview)

On Wednesday, May 28, 2003 at approximately 11:15 a.m., Investigator Brian Dacey and I met with Sheila Porter, NP in the SCHC SID Office. This was our second interview with Ms. Porter, the first being on Thursday, May 22, 2003. The purpose of this interview was to have a follow-up conversation in regards to her written account of the I/M R [REDACTED] incident. SID received her report earlier that same day.

We asked Ms. Porter to give us an account of her involvement with I/M R [REDACTED] on Monday, May 19, 2003. She knew that I/M R [REDACTED] was coming to the Infirmary, and once in the Unit, he made eye contact with her. Ms. Porter commented that "R [REDACTED] looks totally different when he hears voices", and that she began to wonder if in fact something else was going on. She explained to us that "when an inmate's hearing voices, he doesn't look at anyone except over their shoulders [to where the voices are coming from]."

It was not until Ms. Porter returned from lunch, approximately 12:30 – 1:00 p.m., that she spoke with I/M R [REDACTED]. Ms. Porter stated that she never entered I/M R [REDACTED]'s cell and that the entire conversation took place through the window on the door. I/M R [REDACTED] told Ms. Porter that he was afraid, wanted "outta there", and that he had purposely waited for the Officer (who had allegedly assaulted him) to go to lunch before telling the other Officer that he was hearing voices. I/M R [REDACTED] had never told her specifically what had happened to him, only that he had been assaulted by a "C/O" and that the "C/O" hurt him. Ms. Porter had heard from other people what had happened and that the officer had called him a "snitch", although no one told her whom exactly it was. Ms. Porter's explanation for not knowing any detailed information was because she opposed having the SERT Team escort her into I/M R [REDACTED]'s cell, due to his MOA Status.

I/M R [REDACTED] exposed his bruises to Ms. Porter by removing his "johnny" from his left shoulder and

Bicep area. We asked her to explain to us in detail what she observed. Ms. Porter stated that she had observed a bruise on the left upper chest/shoulder/bicep area. She commented that part of the bruise that extended from his upper arm was, "contiguous to his bicep". The bruise was as if, "somebody grabbed him...a hard grab or kick with force and almost abraded...not bleeding but close", similar to an Indian burn. As far as the placement of his injury, it did not make her think that it was self-inflicted. Ms. Porter informed us that the above observations were done "informally" and therefore not documented.

We asked Ms. Porter if I/M R [REDACTED] had mentioned anything to do with Captain Scoby, and she replied, "No." She added that, "He doesn't know the name of the person who assaulted him. He usually says if it's a white shirt or a blue shirt...all he knows is that it was a C/O."

Ms. Porter then approached Gayle Bartley, a Mental Health worker regarding I/M R [REDACTED]. She stated to Ms. Bartley, "I think there's more to this story...if you need anymore information, come talk to me." Ms. Porter expressed to us that "there's something going on".

Ms. Porter spoke to Donna Jurdak, Medical Services Administrator, around the same time period. According to her, Ms. Jurdak knew some of the history between her and I/M R [REDACTED]. Ms. Jurdak was also aware that Ms. Porter was not comfortable with giving her report to SID. As a result, Ms. Jurdak took her written report directly to Mary Ellen Mastorilli, Deputy Superintendent of Support Services. Ms. Mastorilli took all pertinent information from Ms. Jurdak. In the meantime, according to Ms. Porter, I/M R [REDACTED] had spoken to Craig Meekins, LPN. He, in turn had Beth Bringola, PA conduct I/M R [REDACTED]'s formal examination. Ms. Porter's informal examination had been done independently of this one. We inquired as to why I/M R [REDACTED]'s alleged injury to his left chest/shoulder area had not been mentioned in Ms. Bringola's report. Ms. Porter stated that Ms. Bringola saw I/M R [REDACTED]'s arm and not his chest/shoulder area.

Ms. Porter was then asked if she knew when Krista Snyder from the F.B.I was contacted. She replied, "Why do you ask? Did I say that I knew Krista or ever contacted her?" We replied that Ms. Snyder had been in contact with our office. In addition, due to the fact that there were no medical reports written by her in I/M R [REDACTED]'s file and the manner in which she had approached us on Thursday, May 22nd in the Medical Unit, the connection became clear. Ms. Porter stated that the call was placed outside of this facility, between 4:30 p.m. and 5:00 p.m., on Monday, May 19, 2003. There was even a possibility that the call was made the following day. When asked why she notified the F.B.I and not SID, Ms. Porter answered that there was a, "lack of trust here at SID" and so she decided to contact Ms. Snyder.

We asked Ms. Porter to elaborate on this. She told us that she used to have a contact here at SID, but then their professional relationship went sour. He was laid off, was re-hired, and currently works in the Education Department. Ms. Porter said, "There's a lot of old stuff..." in terms of her involvement with I/M R[REDACTED] and SID. According to her, I/M R[REDACTED]'s last incident occurred sometime in the Summer of 2002. It was an issue that had to do with the Nashua Street facility. In regards to the allegations that I/M R[REDACTED] was making, Ms. Porter stated, "R[REDACTED] should never have come here" and "If the job were done, he [I/M R[REDACTED]] would not be here."

We were notified that I/M R[REDACTED] had been placed in the Infirmary again on Friday, May 23 until today's date. During this last visit, he asked Ms. Porter if "they were going to get him outta here?" Ms. Porter clarified "outta here" to mean anywhere other than South Bay or Nashua Street. She went on to state that I/M R[REDACTED] was not asking to be released, only to be transferred. She ended by commenting that I/m R[REDACTED] "...certainly was not crazy right now; I've seen him so."

Investigator Dacey has read and reviewed the above report. He has found it to be a true and accurate summary of events. End of report.